

Notice of Allowability

Application No.

10/646,715

Examiner

Tuan C To

Applicant(s)

COFFEE ET AL.

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/03/2004.
2. ☒ The allowed claim(s) is/are 66-114.
3. ☒ The drawings filed on 03 September 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Thomas G. Black
THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3660

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

This communication is an Examiner's reasons for allowance in response to application filed on 08/25/2003, assigned serial 10/646,715 and titled "Vehicle Tracking, Communication and Fleet Management System."

The following is the Examiner's statement of reasons for the indication of allowable subject matter:

The applicant's amendment filed on 09/03/2004 after the Ex Parte Quayle action has been fully considered. According to the amendment, the abstract and drawings have been corrected as required. Thus, the application is now set in a condition for allowance.

The examiner has performed another prior art search in some areas that are relevant to the subject matter of the present application, but none of the references has been found teaches the following: "a vehicle monitoring system that monitors the state of a plurality of vehicle comprising: at least one mobile data unit that generates automatic status information corresponding to a delivery vehicle, wherein the automatic status information includes position information and delivery state information, a delivery state database that store the automatic status information generated by the mobile data unit, wherein the mobile data unit includes a controller, a GPS receiver coupled to the controller, and at least one vehicle condition sensor coupled to the controller, and said controller generates the automatic status information based on signals received from the GPS receiver and the vehicle condition sensor, wherein the controller determines the delivery state information based on the signal received from the vehicle

Art Unit: 3663

condition sensor, and wherein the vehicle condition sensor generates a mixing barrel status signal indicative of a charge operation condition and a discharge operation condition of a mixing barrel, and wherein the controller determines a Begin Pour delivery state and an End Pour delivery state based on the mixing barrel status signal”, “said mobile unit coupled for GPS reception, with one or more sensors adapted to supply vehicle event information thereto, to enable the mobile unit to determine delivery state of the delivery vehicle and to generate said status information therefrom, said vehicle event information indicative of plural delivery states in a sequence of events in which said delivery vehicle may engage, and said mobile unit responsive thereto to determine beginning and ending delivery states in a subset of said sequence of events”, and “a system for automated reporting of status of a ready mix concrete or other slurry material mixer truck, including the state of events related to the usage, function, operation, location, delivery, system or cargo of the truck, to a management office for system users including dispatchers and managers using wireless network , comprising: a plurality of sensors for automatically detecting or measuring parameters corresponding to various selected ones of said events, and the current status of computer apparatus for receiving inputs from the GPS receiver and said plurality of sensors indicative of the respective detected or measured status of parameters of selected events of interest, and for determining therefrom and transmitting to the management office over the wireless network, the state of the selected events of interest and location information in the form of digital data”.

Art Unit: 3663

It is found that none of the reference, either alone or in a combination, teaches or fairly suggests the limitations as stated above.

The prior art does not contain any teaching that would lead a skilled person to modify the closest prior and thereby arrive at the invention. Therefore, the claimed invention is now patentable over the cited prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (703) 308-6273. The examiner can normally be reached on from 8:00AM to 5:00PM.

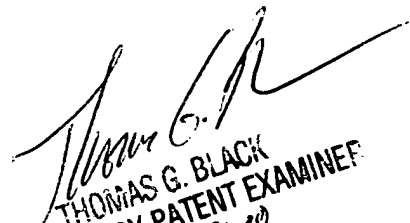
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-8233.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tc

November 27, 2004


THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3600